

12 CV 695

JS 44C/SDNY  
REV. 5/2010

**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

<b>PLAINTIFFS</b>	<b>DEFENDANTS</b>
EXPORT DEVELOPMENT CANADA	OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF MOTORS LIQUIDATION COMPANY
<b>ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)</b>	<b>ATTORNEYS (IF KNOWN)</b>
Vedder Price P.C. 1633 Broadway, 47th Floor, New York, New York 10019 Tel: (212) 407-7700	Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas, New York, New York 10036 Tel: (212) 715-0100

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)**  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 158(a); Fed. R. Bankr. P. 8001(a)

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date & Case No.

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>	<b>OTHER STATUTES</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY -	[ ] 610 AGRICULTURE	[X] 422 APPEAL	[ ] 400 STATE	[ ] 400 STATE	[ ] 400 STATE
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	[ ] 362 MED MALPRACTICE	[ ] 620 OTHER FOOD &	28 USC 158	[ ] 410 ANTI-TRUST	[ ] 410 ANTI-TRUST	[ ] 410 ANTI-TRUST
[ ] 130 MILLER ACT	[ ] 320 ASSAULT, LIBEL &	[ ] 365 PERSONAL INJURY	[ ] 625 DRUG RELATED	[ ] 423 WITHDRAWAL	[ ] 430 BANKS & BANKING	[ ] 430 BANKS & BANKING	[ ] 430 BANKS & BANKING
[ ] 140 NEGOTIABLE	SLANDER	[ ] 365 PRODUCT LIABILITY	SEIZURE OF	28 USC 157	[ ] 450 COMMERCE	[ ] 450 COMMERCE	[ ] 450 COMMERCE
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 368 ASBESTOS PERSONAL	PROPERTY		[ ] 460 DEPORTATION	[ ] 460 DEPORTATION	[ ] 460 DEPORTATION
INSTRUMENT	EMPLOYERS'	INJURY PRODUCT	[ ] 630 LIQUOR LAWS	<b>PROPERTY RIGHTS</b>	[ ] 470 RACKETEER INFLU-	[ ] 470 RACKETEER INFLU-	[ ] 470 RACKETEER INFLU-
[ ] 150 OVERPAYMENT &	LIABILITY	LIABILITY	[ ] 640 RR & TRUCK	[ ] 820 COPYRIGHTS	ENCED & CORRUPT	ENCED & CORRUPT	ENCED & CORRUPT
ENFORCEMENT OF	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 650 AIRLINE REGS	[ ] 830 PATENT	ORGANIZATION ACT	ORGANIZATION ACT	ORGANIZATION ACT
JUDGMENT	[ ] 345 MARINE PRODUCT		[ ] 660 OCCUPATIONAL	[ ] 840 TRADEMARK	(RICO)	(RICO)	(RICO)
[ ] 151 MEDICARE ACT	LIABILITY	[ ] 370 OTHER FRAUD	[ ] 680 SAFETY/HEALTH		[ ] 480 CONSUMER CREDIT	[ ] 480 CONSUMER CREDIT	[ ] 480 CONSUMER CREDIT
[ ] 152 RECOVERY OF	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 690 OTHER	<b>SOCIAL SECURITY</b>	[ ] 490 CABLE/SATELLITE TV	[ ] 490 CABLE/SATELLITE TV	[ ] 490 CABLE/SATELLITE TV
DEFAULTED	[ ] 355 MOTOR VEHICLE	[ ] 380 OTHER PERSONAL		[ ] 810 SELECTIVE SERVICE	[ ] 500 SECURITIES/	[ ] 500 SECURITIES/	[ ] 500 SECURITIES/
STUDENT LOANS	PRODUCT LIABILITY	PROPERTY DAMAGE	<b>LABOR</b>	[ ] 820 HIA (1395m)	COMMODITIES/	COMMODITIES/	COMMODITIES/
(EXCL. VETERANS)	[ ] 380 OTHER PERSONAL	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 822 BLACK LUNG (823)	EXCHANGE	EXCHANGE	EXCHANGE
[ ] 153 RECOVERY OF	INJURY	PRODUCT LIABILITY	STANDARDS ACT	[ ] 823 DMV/DHWW (405(g))	[ ] 875 CUSTOMER	[ ] 875 CUSTOMER	[ ] 875 CUSTOMER
OVERPAYMENT OF			RELATIONS	[ ] 824 SSID TITLE XVI	CHALLENGE	CHALLENGE	CHALLENGE
VETERANS BENEFITS			LABOR/MGMT	[ ] 825 RSI (405(g))	12 USC 3410	12 USC 3410	12 USC 3410
[ ] 180 STOCKHOLDERS SUITS			REPORTING &		[ ] 880 OTHER STATUTORY	[ ] 880 OTHER STATUTORY	[ ] 880 OTHER STATUTORY
[ ] 180 OTHER CONTRACT			DISCLOSURE ACT	<b>FEDERAL TAX SUITS</b>	ACTIONS	ACTIONS	ACTIONS
[ ] 185 CONTRACT PRODUCT			RAILWAY LABOR ACT	[ ] 870 TAXES (U.S. Plaintiff or	[ ] 891 AGRICULTURAL ACTS	[ ] 891 AGRICULTURAL ACTS	[ ] 891 AGRICULTURAL ACTS
LIABILITY			OTHER LABOR	Defendant)	[ ] 892 ECONOMIC	[ ] 892 ECONOMIC	[ ] 892 ECONOMIC
[ ] 185 FRANCHISE			LITIGATION	[ ] 871 IRS-THIRD PARTY	STABILIZATION ACT	STABILIZATION ACT	STABILIZATION ACT
			EMPL. RET. INC.	28 USC 7809	MATTERS	MATTERS	MATTERS
			SECURITY ACT		[ ] 894 ENERGY	[ ] 894 ENERGY	[ ] 894 ENERGY
					ALLOCATION ACT	ALLOCATION ACT	ALLOCATION ACT
					FREEDOM OF	FREEDOM OF	FREEDOM OF
					INFORMATION ACT	INFORMATION ACT	INFORMATION ACT
					[ ] 900 APPEAL OF FEE	[ ] 900 APPEAL OF FEE	[ ] 900 APPEAL OF FEE
					DETERMINATION	DETERMINATION	DETERMINATION
					UNDER EQUAL ACCESS	UNDER EQUAL ACCESS	UNDER EQUAL ACCESS
					TO JUSTICE	TO JUSTICE	TO JUSTICE
					[ ] 950 CONSTITUTIONALITY	[ ] 950 CONSTITUTIONALITY	[ ] 950 CONSTITUTIONALITY
					OF STATE STATUTES	OF STATE STATUTES	OF STATE STATUTES

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE: 12 CV 561

DEMAND \$ OTHER

JUDGE McMAHON DOCKET NUMBER

Check YES only if demanded in complaint  
JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding		<input type="checkbox"/> 2a. Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
		<input type="checkbox"/> 2b. Removed from State Court AND at least one party is pro se.					

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY)	<input type="checkbox"/> 4 DIVERSITY	IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1322, 1441)
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CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [ ] [ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] [ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] [ ]
CITIZEN OF ANOTHER STATE	[ ] [ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] [ ]	FOREIGN NATION	[ ] [ ]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION.)

DATE 12/16/11 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT # Michael Schein

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
[X] YES (DATE ADMITTED Mo. 03 Yr. 1994)  
Attorney Bar Code #MS-0241

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)